

- (2) *is the closest in geographic proximity to the child's home;*
- (3) *is the most able to meet the identified needs of the child; and*
- (4) *satisfies any expressed interests of the child relating to placement, when developmentally appropriate.*

SECTION 5. (a) If the Department of Family and Protective Services receives a formal determination from the United States Department of Health and Human Services stating that implementing the changes in law made by this Act will result in a reduction in federal funding under either Title IV–E, Social Security Act (42 U.S.C. Section 670 et seq.) or a related source of federal funds, the Department of Family and Protective Services may not implement this Act.

(b) For the purpose of Subsection (a) of this section, “formal determination” means a written opinion or penalty assessment contained in a Child and Family Services Review conducted by the Administration for Children and Families in the United States Department of Health and Human Services regarding the federal funding implications of the implementation of this Act.

SECTION 6. This Act takes effect September 1, 2017.

Passed by the House on May 8, 2017: Yeas 134, Nays 11, 1 present, not voting; passed by the Senate on May 23, 2017: Yeas 28, Nays 3.

Approved June 15, 2017.

Effective September 1, 2017.

ACCESS TO RECORDS THAT PERTAIN TO THE TESTING FOR, AND FITTING AND DISPENSING OF, HEARING INSTRUMENTS

CHAPTER 1023

H.B. No. 1543

AN ACT

relating to access to records that pertain to the testing for, and fitting and dispensing of, hearing instruments.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter H, Chapter 402, Occupations Code, is amended by adding Section 402.354 to read as follows:

Sec. 402.354. CLIENT ACCESS TO RECORDS. A client of a person licensed to fit and dispense hearing instruments or of a hearing instrument fitting and dispensing practice is entitled to obtain a copy of the client's records that pertain to the testing for, and fitting and dispensing of, hearing instruments by making a signed, written request to the license holder or practice for the records.

SECTION 2. This Act takes effect September 1, 2017.

Passed by the House on May 3, 2017: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.